

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1114 be amended to read as follows:

- 1 Page 2, between lines 8 and 9, begin a new paragraph and insert:
2 "SECTION 3. IC 36-2-7.5-6, AS ADDED BY P.L.91-2005,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 6. (a) ~~A county recorder may not accept a~~
5 ~~document for recording without the completed and executed form~~
6 ~~described in section 5 of this chapter attached to the document. A form~~
7 ~~attached to a document under this subsection is considered part of the~~
8 ~~document for purposes of the fee charged under subsection (b) in~~
9 ~~accordance with IC 36-2-7-10.~~
10 ~~(b)~~ (a) The county recorder shall charge a fee for recording a
11 document ~~under this chapter~~ in accordance with IC 36-2-7-10.
12 ~~(c)~~ (b) The county recorder shall deposit two dollars (\$2) of the fee
13 charged under subsection ~~(b)~~ (a) in the county identification security
14 protection fund established by section 11 of this chapter. This
15 subsection expires July 1, 2011."
16 Page 2, between lines 19 and 20, begin a new paragraph and insert:
17 "SECTION 5. IC 36-2-7.5-11, AS ADDED BY P.L.91-2005,
18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 UPON PASSAGE]: Sec. 11. (a) As used in this section, "fund" refers
20 to a county identification security protection fund established under
21 subsection (b).
22 (b) Each county legislative body shall establish an identification
23 security protection fund to be administered by the county recorder. The
24 county fiscal body shall appropriate money from the fund.
25 (c) A fund consists of money deposited in the fund under section

1 ~~6(c)~~ **6(b)** of this chapter. Money in a fund does not revert to the county
2 general fund.

3 (d) A county recorder may use money in the fund only to purchase,
4 upgrade, implement, or maintain redacting technology used in the office
5 of the county recorder."

6 Page 2, between lines 28 and 29, begin a new paragraph and insert:
7 "SECTION 7. IC 36-2-11-27 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2006]: **Sec. 27. (a) A payment to the county
10 recorder for any purpose may be made by any of the following
11 financial instruments that the county recorder authorizes to use:**

12 **(1) Cash.**

13 **(2) Check.**

14 **(3) Bank draft.**

15 **(4) Money order.**

16 **(5) Bank card or credit card.**

17 **(6) Electronic funds transfer.**

18 **(7) Any other financial instrument authorized by the county
19 recorder.**

20 **(b) If there is a charge to the county recorder for the use of a
21 financial instrument other than a bank card or credit card, the
22 county recorder shall collect a sum equal to the amount of the
23 charge from the person who uses the financial instrument.**

24 **(c) The county recorder may contract with a bank card or credit
25 card vendor for acceptance of bank or credit cards. However, if
26 there is a vendor transaction card or discount fee, whether billed
27 to the county recorder or charged directly to the county recorder's
28 account, the county recorder shall collect from the person using the
29 card an official fee that may not exceed the highest transaction
30 charge or discount fee charged to the county recorder by bank or
31 credit card vendors regardless of retail merchant agreements
32 between the bank and credit card vendors that may prohibit such
33 a fee. The fee is a permitted charge under IC 24-4.5-3-202.**

34 **(d) Funds described in subsection (c) may be used without
35 appropriation to pay the transaction charge or discount fee
36 charged by the bank or credit card vendor."**

37 Page 2, line 29, delete "THE FOLLOWING ARE REPEALED" and

- 1 insert "IC 36-2-7.5-5 IS REPEALED".
- 2 Page 2, line 30, delete "(RETROACTIVE)]: IC 36-2-7.5-5;
- 3 IC 36-2-7.5-6;" and insert "(RETROACTIVE)]".
- 4 Page 2, delete line 31.
- 5 Renumber all SECTIONS consecutively.
(Reference is to HB 1114 as printed January 6, 2006.)

Representative Foley